



Federal Communications Commission
Washington, D.C. 20554

December 28, 2012

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

Re: Measuring Broadband American Program, GN Docket No. 12-264

Dear Ms. Dortch:

On December 21, 2012, representatives of broadband providers, public interest groups, companies, and other organizations met via conference call with Commission staff to discuss the Commission's broadband measurement and performance program for broadband performance on mobile handsets. The agenda of the meeting included discussion of privacy related current work items, milestones, and a privacy policy.¹

James Miller, Senior Attorney Advisor Electromagnetic Compatibility Division (EMCD), opened the meeting discussing a document describing issues related to the possible public release of data, and reported feedback from leading researchers expressing interest in assisting in re-identification analysis of datasets.

Participants discussed that the public release of the client ID would be highly problematic and not recommended. Differentiating the need for information and the associated risks were discussed as a way gradating access to data in a manner that protects the most sensitive data or aspects of data from improper use. Steven Bellovin, Chief Technology Officer Federal Trade Commission, emphasized that the time and location elements of the data were most sensitive. He described a need to define what threat models may exist for data, and suggested that a formal anonymity goal, such as those used in defining anonymization of protected health data, could be valuable.

Participants discussed issues related to the identification of collected data with a particular handset stored on the handset or on FCC data stores. Participants discussed that providing data directly to volunteers was seen as an important element for recruitment, and other diagnostic and operational concerns might require the ability to differentiate data. Participants inquired whether caching performance results on a phone could obviate the need to tag data stored in the cloud to present to users. Alex Salter, SamKnows, explained that users would want to access personalized results from web portals or other sources and could face data loss in the event a handset became lost. Participants discussed that regardless of where data was stored it might be

¹ A list of attendees and all documents circulated for the meeting are made available with this electronic filing in GN Docket No. 12-264.

subject to disclosures otherwise required by law, for example to law enforcement officials by subpoena.

Participants discussed that a cautionary approach to any public release of data was appropriate. Henning Schulzrinne, Chief Technology Officer FCC, distinguished issues associated with public release of fixed broadband performance data. While fixed performance data did not vary in geography, the variability of wireless measurements in time and space make it difficult to identify the scope of possible attacks. He described that a minimal public release of wireless data could be balanced with access to data deemed more sensitive under non-disclosure agreements.

Erin Kenneally, CEO Elchemy, suggested that differentiating the needs of legitimate researchers from the general public could help facilitate appropriate disclosure controls for data deemed more sensitive. Mike Archer, Sprint, discussed that internal review of data under terms of non-disclosure would still have value for researchers. Participants discussed that a Code of Conduct should be part of non-disclosure strategies for non-public reviews of data.

Mr. Schulzrinne whether some public release of a combination of data on average variability of first order statistics, aggregated to census block levels with only minimum combinations of measurements, together with multiple first-order statistics on average throughputs or other measures would raise privacy concerns. Participants agreed that such data would be useful to the public and largely benign of concerns.

Roger Marks, Consensii LLC, inquired about how enterprise identifiers might be addressed and participants discussed how data might be differentiated. Discussions regarding how many measurements would be done by each phone and how more numerous handsets executing tests less frequently might relate to policy concerns. Alex Salter discussed that test might execute infrequently and that data caps associated with some subscriber plans would influence how frequently any single handset would execute tests.

Staff thanked participants for their participation on the call in advance of the holidays and proposed another call in the coming weeks to continue discussions on crafting data release policies and drafting of a privacy policy statement.

Sincerely,



James Miller, Senior Attorney Advisor
Electromagnetic Compatibility Division/OET
Federal Communications Commission

Attendees

Name	Organization
Colleen Thompson	AT&T
Joe Marx	AT&T
Terri Hoskins	AT&T
Rebecca Thompson	CCA
Marc Linsner	Cisco
Roger B.Marks	Consensii
Shoeb Hafiz	CRTC Canada
Krista Witnowski	CTIA
Erin Kenneally	eLchemy
Deborah Broderson	FCC
Joel Taubenblatt	FCC
Jennifer Tatel	FCC
Eliot Maenner	FCC
Henning Schulzrinne	FCC
James Miller	FCC
Walter Johnston	FCC
Steven Bellovin	FTC
Amy Wolverton	HTC
Joseph Bissonnette	HTC
John Jakotich	Keynote
Christopher Fleming	Microstrategy
Craig Mueller	Microstrategy
Dominic Hamon	M-Lab/Google
Thomas Gideon	M-Lab/OTI
Neha Rawal	NCSU
Doug Hohulin	Nokia Siemens Networks
Brian Gibbons	NTIA
Michael Schwab	P3 Group
Jayce Homersham	PWC
Jack Nasielski	Qualcomm
Scott Goss	Qualcomm
Scott Coull	Redjack
Alex Salter	SamKnows
Rachel Neish	SamKnows
Sophie Deen	SamKnows
Breck Blalock	Sprint
Michael Archer	Sprint
Ron Braun	Sprint
Changbo Wen	T-Mobile
Shellie Blakeney	T-Mobile
Jim Warner	University California Santa Cruz
Bill Wallace	Verizon
David McCarley	Verizon
Gregg Spath	Verizon

Jerry Karnick
Kitty O'Hara
Ari Meltzer

Verizon
Verizon
Wiley Rein LLP